

Rec'd PCT/PTO 09 JAN 2006

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF:

Applicant : Henning, Gunter

Appl. No. : 10/536,554

Int'l Filing : Nov. 27, 2003
Date

Title : METHOD AND ARRANGEMENT FOR
DETECTING AND MEASURING THE
PHASE OF PERIODICAL BIOSIGNALS

Grp./A.U. : Unassigned

Examiner : Unassigned

Mail Stop: Missing Parts
Commissioner for Patents
P. O. Box: 1450
Alexandria, VA 22313-1450

RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS

Dear Sir:

Applicant hereby responds to the Notification of Missing Requirements dated November 14, 2005, for which a response is due on January 14, 2006.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on:

January 6, 2006

(Date of Deposit)

Amanda Mineer

(Name of the Person Making the Deposit)

Amanda Mineer

(Signature)

January 6, 2006

(Date of Signature)

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Please find the following documents enclosed:

<u>Document</u>	<u>Quantity</u>
(1) English Translation of Application	12 pages
(2) Signed Declaration	3 pages
(3) Copy of Notification of Missing Requirements dated 11/14/2005	2 pages
(4) Fee Transmittal Form for Payment of Fee for Late Filing of Declaration and Translation in Amt of \$195.00	1 page
(5) Return Postcard	

Please charge any additional fees, or credit overpayment to Deposit Account No. 50-1047.

Respectfully submitted,

Date: January 5, 2006

By: /Mark Wieczorek Reg. No. 37,966/
Mark D. Wieczorek, Ph.D., J.D.
Attorney for Applicants
Reg. No. 37,966
c/o Mayer & Williams, PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090
(562) 244-5671

01/12/2006 ATRAN1 00000160 501047 10536554
01 FC:2617 65.00 DA
02 FC:1618 130.00 DA

01/26/2006 BCAMPBEL 00000002 501047 10536554
01 FC:2616 180.00 DA

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Complete if Known

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	\$195.00
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Application Number	10/536,554
Filing Date	Nov. 27, 2003 (In'l Date)
First Named Inventor	Henning, Gunter
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	00139/016001

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ **Deposit Account** Deposit Account Number: 50-1047 Deposit Account Name: Mayer & Williams PC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

EXCESS CLAIM FEES		Small Entity
<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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_____ - 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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$$-3 \text{ or HP} = \underline{\hspace{2cm}} \times \underline{\hspace{2cm}} = \underline{\hspace{2cm}}$$

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

- 100 = / 50 = (round up to a whole number) x = =

 - 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \$65.00 fee for late Declaration, \$130 fee for late translation

Fees Paid (\$)

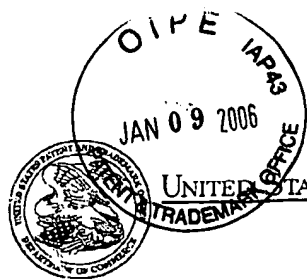
\$575.00

SUBMITTED BY

Signature	/Mark Wieczorek Reg. No. 37,966/	Registration No. (Attorney/Agent) 37,966	Telephone (562) 244-5671
Name (Print/Type)	Mark D. Wieczorek		Date January 5, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria-VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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Re PCT/PTO 09 JAN 2006
205196

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/536,554	Gunter Henning	00139-016001

INTERNATIONAL APPLICATION NO.

PCT/EP03/13355

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

11/27/2003

11/28/2002

52779
MAYER FORTKORT & WILLIAMS PC
251 NORTH AVE. WEST
2ND FLOOR
WESTFIELD, NJ 07090

RECEIVED

NOV 17 2005

MAYER, FORTKORT
& WILLIAMS, LLC

CONFIRMATION NO. 7477

371 FORMALITIES LETTER



OC000000017445816

Date Mailed: 11/14/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/26/2005
- Copy of the International Search Report filed on 05/26/2005
- Oath or Declaration filed on 05/26/2005
- Small Entity Statement filed on 05/26/2005
- U.S. Basic National Fees filed on 05/26/2005
- Priority Documents filed on 05/26/2005
- Non-English Language Application filed on 05/26/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

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or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$195** for a Small Entity:

- **\$65** Surcharge.
- **\$130** for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,554	PCT/EP03/13355	00139-016001

FORM PCT/DO/EO/905 (371 Formalities Notice)

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